

ENCROACHMENT PERMIT

Pursuant to Resolution No. 11065 of the City of Riverside, permission is hereby granted to Barnett-Range Corporation
3200 Blk. of La Sierra Ave.

its heirs and assigns, hereinafter referred to as "Permittee" to use and occupy the following described property.

A portion of that certain 15' wide sewer easement conveyed to the City of Riverside by deed recorded March 20, 1964, as instrument No. 35248, official records of Riverside County, California, as shown by attached Exhibit "A",

in accordance with the terms hereof.

1. Permittee shall use and occupy the described property only in the manner and for the purposes as follows: construction and maintenance of the carports, sidewalks, tennis court, and stamped concrete driveway approach encroaching into said sewer easement, as shown by attached Exhibit "A".

Special Conditions

1a. Applicant agrees to maintain free access across the parent parcel to allow access to the sewer line and sewer manholes where direct access along the sewer easement is blocked. In the event the sewer line needs repair or replacement, the applicant understands that any or all private improvements could be damaged or destroyed, if reasonably necessary. The applicant understands that repairs to said private improvements shall be at no cost to the City.

1b. This permit has no provision for construction rights in the area of the High Pressure Gas transmission main and written permission to construct within their right of way shall be obtained from the holder of the easement/owner of the facility PRIOR TO CONSTRUCTION.

1c. In the event the main entrance to the parking lot is blocked for repair or replacement of the sewer line, the applicant and the City shall work out a plan acceptable to both to minimize the amount and duration of lost access. If complete closure of the entrance is required, the Fire Department shall be notified of the schedule prior to commencing any work.

2. Permittee, by acceptance of the benefits hereunder, acknowledges title to the property to be in the City of Riverside and waives any right to contest the validity of the dedication or grant.

3. Permittee acknowledges that the described property is the site of a proposed or planned public improvement and that, accordingly, all rights and privileges of use permitted shall cease and expire upon notice of revocation by the City. Upon the expiration or revocation, Permittee shall, within the time prescribed by the City, remove all improvements or obstructions placed, constructed or maintained by the Permittee. If the Permittee fails to abide by the removal order of the City within the time prescribed, the City shall have the right to remove and destroy the improvements without reimbursement to the Permittee and the cost of such removal shall be paid by the Permittee to the City of Riverside and shall constitute a debt owed to the City of Riverside.

4. Permittee, by acceptance hereof, waives the right of claim, loss, damage or action against the City of Riverside arising out of or resulting from revocation, termination, removal of the improvements or any action of the City of Riverside, its officers, agents or employees taken in accordance with the terms hereof.

5. Finding and determination by the City Council of the City of Riverside that the Permittee, or his heirs and assigns or successors in interest, are in default of the terms hereunder shall be cause for revocation.

6. Permittee herewith agrees to hold the City of Riverside harmless from and against all claims, demands, costs, losses, damages, injuries, action for damages and/or injuries, and liability growing or arising out of or in connection with the construction, encroachment, and/or maintenance to be done by Permittee or his agents, employees or contractors within the described property.

DATED: Mar 17 1986

CITY OF RIVERSIDE, a municipal corporation

By *[Signature]* Mayor

Attest *[Signature]* City Clerk

The foregoing is accepted by:

[Signature] V.P.
(Signature(s) of Permittee)

APPROVED AS TO CONTENT

William D. Gardner
Department Head (Public Works)

[Signature]
Concurs with Fire Department

APPROVED AS TO FORM

John Woodhead
City Attorney

CITY MANAGER APPROVAL

Robert E. Tremont
for City Manager